

MEMO ENDORSED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

NOTICE OF MOTION
Ind. No. 20 Cr 373 (LAK)

NZELO OKAFOR
Defendant.

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PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law as well as the exhibits appended hereto, the undersigned will move this Court, before the Honorable Lewis A. Kaplan, United States District Judge for the Southern District of New York, at a time to be designated by the Court, for an order (1) suppressing: (a) any and all identification testimony from an identification procedure conducted on June 25, 2020; (b) all fruits of that tainted evidence recovered on June 29, 2020 from Mr. Okafor's person; and (c) United States Currency and personal property recovered by law enforcement from a BMW on June 29, 2020. In the alternative, granting a hearing on this matter, pursuant to Rules 12 and 41 of the Federal Rules of Criminal Procedure, and granting such other and further relief as this Court deems just and proper.

Xavier R. Donaldson
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212-722-4900

TO: United States Attorney
Southern District of New York
500 Pearl Street
New York, New York 10007
Attn: Jacob Fiddelman, Esq.
Assistant United States Attorney

*Motion denied substantially for reasons given by Government -
meat to which no timely
reply has been filed.*

SO ORDERED


LEWIS A. KAPLAN, USDJ

12/9/2020